

**SUMMARY OF THE
TRANSITION COMMITTEE MEETING
JANUARY 13, 2000**

The Transition Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met by teleconference on Thursday, January 13, 2000 at 4 p.m. Eastern Standard Time (EST). The meeting was led by its co-chairs, Dr. Charles Brokopp of the Utah Department of Health and Ms. Carol Batterton of the Texas Natural Resource Conservation Commission (TNRCC). A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to discuss the issues contained on the committee's agenda.*

AGENDA ITEMS

Committee Membership

Dr. Brokopp reported changes in the committee's membership. Ms. Jeanne Hankins, Director of NELAC and Dr. Stephen Clark of the U.S. Environmental Protection Agency (USEPA) Office of Water have resigned. New committee members are Ms. Ann Marie Allen of the Massachusetts Department of Environmental Protection and Ms. Deborah Loring of Severn Trent Laboratories.

Review of the Committee's Charge from the NELAC Board of Directors and Preliminary Discussion of Options for NELAC

Almost the entirety of the meeting was devoted to a discussion of options for NELAC in the wake of the announcement by Mr. Henry Longest at the Fifth NELAC Interim Meeting held in Washington, DC in December 1999 regarding future funding for NELAC by USEPA. Discussion was had regarding whether USEPA's announced withdrawal was a funding issue, an ideological issue such as a conflict of missions, or the result of a misconception of the program by key USEPA leaders. It was agreed that the announced withdrawal is that of the Office of Research and Development (ORD) and not that of the USEPA as a whole. The strong federal presence in the Health Care Financing Administration (HCFA) and in programs resulting from the Clinical Laboratory Improvement Act (CLIA) was discussed, and the committee agreed that it is in the best interest of NELAC that USEPA have a strong presence there as well. Dr. Brokopp mentioned recently published papers on the positive impact of CLIA. He cautioned, however, that potentially there are differences between NELAC and CLIA programs or any other programs that the USEPA might propose as models for NELAC to follow.

The committee discussed how best to support the NELAC Board of Directors as the board develops strategies for future discussions with USEPA. Committee members agreed on the importance of board members meeting with USEPA Deputy Administrator Michael McCabe as soon as possible to discuss the merits of NELAC and its value to the USEPA. They addressed the importance of developing lists of "selling points" and specific questions for which answers would be sought. The value of partnering with the Deputy Administrator -- identifying his goals and how NELAC might be able to dovetail with those goals -- was also discussed.

Enlisting the involvement and support of entities outside of NELAC such as the Environmental Council of States (ECOS) and the Environmental Laboratory Advisory Board (ELAB) was discussed. The potentially influential roles of environmental leaders in the private sector and state government officials in championing NELAC were acknowledged.

Some interest was expressed for attempting to calculate the dollar value of the investment made by all involved parties (USEPA, states, private sector) to bring NELAC to the point of development it currently has, as well as attempting to determine the potential cost in dollars to the USEPA if NELAC did not exist to aid in ensuring the integrity and quality of environmental laboratory data.

The value of petitioning an interested appropriations committee within Congress for NELAC funding was discussed. However, it was noted that NELAC is not authorized to petition Congress. The contributors agreed to examine the possibility of initiating an independent petition. It was agreed that this effort would need to be initiated immediately, and that while the support of the states in making such a petition is without doubt necessary, the petition might most successfully originate from the private sector. ACIL (formerly the American Council of Independent Laboratories) was acknowledged as a potential player in this petitioning effort. If this became a viable option, concern was expressed about the frequency with which the petitioning would have to be repeated. Dr. Wilson Hershey mentioned that an ELAB white paper exists which addresses some of these issues, and that NELAC would need to respond consistent with the terms of that paper.

The committee discussed nearly a dozen options for the future direction of NELAC. These options include such ideas as new Congressional legislation mandating USEPA support of NELAC, having Congress earmark funding for NELAC, utilizing the private sector and individuals to effect change, and establishing a quasi-governmental organization or identifying a non-profit organization to administer NELAC. Committee members discussed the merits of each option and attempted to rank them according to their likelihood of success.

Ms. Batterton referenced several recent reports from the Office of the Inspector General (OIG) and the General Accounting Office (GAO) regarding issues relevant to the founding principles and purposes of NELAC, including the accuracy and reliability of laboratory data, the accuracy of self-reported compliance monitoring data, the reliability of laboratory data quality at federal facility Superfund sites, and the deterrence and detection of laboratory fraud. She will forward these reports to committee members.

Action Steps

The committee concluded its discussion of this agenda item by identifying and prioritizing four “action steps.” These were: 1) committee will request the NELAC Board of Directors to immediately seek a meeting with USEPA Deputy Administrator McCabe and to prepare (or assist the board in preparing) briefing materials for that meeting, 2) contributors will independently attempt to identify political contacts who might successfully petition Congress to earmark funding for NELAC, and 3) committee will assess the value of ECOS in assisting NELAC in generating support for the latter within EPA.

Review of Draft Minutes and Action Items from December 16, 1999 Meeting

Dr. Brokopp asked committee members for corrections to the draft minutes of the committee's December 16, 1999 meeting at the Fifth NELAC Interim Meeting. Dr. Jackson offered one grammatical change, otherwise the minutes were approved as written.

Ms. Batterton reviewed the actions items contained in the draft minutes from the same meeting. The issue of establishing the accrediting authorities group as a subcommittee of the Transition Committee was tabled for later discussion. Ms. Batterton will follow up with Ms. Hankins regarding USEPA approval of trainers for laboratory assessor training, and will also inquire of Ms. Hankins as to whether a statement has been placed on the NELAC Website regarding Mr. Longest's remarks at the Opening Plenary of the Interim Meeting. Submittal of ideas to the committee for ensuring the future of NELAC and recommendations for future tasks for the committee were characterized as ongoing activities.

NEXT MEETING

Ms. Batterton reminded those present that the next meeting by teleconference of the Transition Committee is scheduled for Thursday, January 27, 2000, from 4 p.m. to 5:30 p.m. EST.

**ACTION ITEMS
TRANSITION COMMITTEE MEETING
JANUARY 13, 2000**

Item No.	Action	Date to be Completed
1.	Dr. Brokopp will ask the NELAC Board of Directors to request a meeting with EPA Deputy Administrator Michael McCabe, and assist the Board in preparations for that meeting.	On-going
2.	Contributor members will independently identify political contacts who might successfully petition Congress to earmark funding for NELAC.	On-going
3.	Dr. Brokopp will contact members of the Environmental Council of States (ECOS) to assess their role in helping to champion NELAC within USEPA.	On-going
4.	Dr. Hershey will research old minutes and notes of ELAB for information about USEPA presence in programs.	On-going
5.	Dr. Hershey will ensure that the issues discussed in this meeting are placed on the agenda of the next meeting of the ELAB for discussion.	Completed
7.	Ms. Batterton will forward copies of GAO and OIG reports to committee members.	Completed

**PARTICIPANTS
TRANSITION COMMITTEE MEETING
JANUARY 13, 2000**

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